

1-1 By: Ellis S.B. No. 1476
1-2 (In the Senate - Filed March 6, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 24, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1476 By: Shapleigh

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the authority of a community health center to contract
1-11 with or employ an optometrist or therapeutic optometrist.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter H, Chapter 351, Occupations Code, is
1-14 amended by adding Section 351.367 to read as follows:

1-15 Sec. 351.367. CONTRACT OR EMPLOYMENT WITH COMMUNITY HEALTH
1-16 CENTERS. (a) In this section, "community health center" means a
1-17 health organization that:

1-18 (1) is a nonprofit corporation under the Texas
1-19 Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's
1-20 Texas Civil Statutes) and Section 501(c)(3), Internal Revenue Code
1-21 of 1986; and

1-22 (2) is organized and operated as:

1-23 (A) a migrant, community, or homeless health
1-24 center under the authority of and in compliance with 42 U.S.C.
1-25 Section 254b or 254c; or

1-26 (B) a federally qualified health center under 42
1-27 U.S.C. Section 1396d(1)(2)(B).

1-28 (b) The board by rule shall certify a health organization to
1-29 contract with or employ an optometrist or therapeutic optometrist
1-30 if the organization:

1-31 (1) applies for certification on a form approved by
1-32 the board; and

1-33 (2) presents proof satisfactory to the board that the
1-34 organization is a community health center.

1-35 (c) A community health center that contracts with or employs
1-36 an optometrist or therapeutic optometrist under this section may
1-37 not control or attempt to control the professional judgment of the
1-38 optometrist or therapeutic optometrist.

1-39 SECTION 2. This Act takes effect immediately if it receives
1-40 a vote of two-thirds of all the members elected to each house, as
1-41 provided by Section 39, Article III, Texas Constitution. If this
1-42 Act does not receive the vote necessary for immediate effect, this
1-43 Act takes effect September 1, 2009.

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